

REMARKS/ARGUMENTS

Claims 1-22 are active in this application. Claim 22 has been amended to correct the structure of Formula 17. This is supported by the structure of Formula 17 in Fig. 1 as filed. No new matter has been added by these amendments.

Applicants wish to thank the Examiner for the indication of allowable subject matter in claims 7-21 of the present application.

Claims 1-6 and 22 stand rejected under 35 U.S.C. 112, second paragraph. The rejection of claim 22 has been obviated by the present amendment and should be withdrawn. The Examiner has rejected claims 1-6 on the basis that the phrase "a method of binding a kappa opioid receptor" recites a mode of action a not treatment of a particular disease. However, as noted at page 15 of the specification as filed, the kappa opioid receptors are well known to be associated with a variety of disease states, which can be ameliorated or treated by binding of the receptors. The present compounds are novel and have such binding activity, thus the Applicants should be permitted a claim to binding such receptors, whether it be for treatment, diagnosis or for purposes of an assay. Assays are shown in the Examples of the present application. Accordingly, the present compounds have usefulness in treatment, diagnosis and/or assays, all of which fall under the scope of claims 1-6, so long as the method involves binding a kappa opioid receptor in a subject in need thereof. As such, this rejection is respectfully traversed and should be withdrawn.

Application No. 09/755,021

Reply to Office Action of December 8, 2004

Applicants submit that the application is now in condition for allowance and early notification to such effect is earnestly solicited.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,  
MAIER & NEUSTADT, P.C.



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J. Derek Mason, Ph.D.

Attorney of Record

Registration No. 35,270

Customer Number

**22850**

Tel: (703) 413-3000

Fax: (703) 413 -2220